

ENROLLED ORDINANCE 160-34

SALE OF EXCESS RIGHT OF WAY  
PARCEL 55 CTH J/STH 164 PEWAUKEE ROAD

WHEREAS Waukesha County operates and improves a system of county highways, and

WHEREAS the County's adopted Capital Plan contains Project 9901 to reconstruct and improve the former CTH J (now known as STH 164) from Rockwood Drive to STH 190 in the City of Pewaukee, and

WHEREAS certain rights of way have been acquired to carry out this project, and

WHEREAS the County now possesses certain excess rights of way which could be returned to private ownership.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the following described parcel, containing 2.47 acres of land more or less, is declared to be excess highway right of way:

All that part of Certified Survey Map No. 1479 as recorded in Volume 10 on Pages 64 and 65, and Certified Survey Map No. 2837 as recorded in Volume 21 on Pages 48 and 49, both recorded in Certified Survey Maps Waukesha County lying in the Southwest one-quarter of Section 11, Town 7 North, Range 19 East, City of Pewaukee, Waukesha County, State of Wisconsin which is more particularly described as follows: Beginning at the northeast corner of said Certified Survey Map No. 2837; thence North 89°03'45" West, 238.98 feet along the North line of said Certified Survey Map No. 2837 and the south right of way line of S.T.H. 190 to a point on the East right of way line of S.T.H. 164 (former C.T.H. "J"); thence South 07°34'55" West, 84.78 along the East right of way line of S.T.H. 164 (former C.T.H. "J") to a point on a curve; thence Southwesterly 141.03 feet along the arc of a curve to a point, said curve having a radius of 3,346.05 feet, and a long chord bearing of South 02°23'40" West, 141.02 feet; thence South 07°59'36" West, 76.75 feet along the East right of way line of S.T.H. 164 (former C.T.H. "J") to a point; thence South 05°23'08" West, 120.75 feet to the south line of Said Certified Survey Map No. 1479; thence South 89°15'06" East, 272.56 feet along said South line to the Southeast corner of said Certified Survey Map No. 1479 said point also being the west line of Phase 2 of Crosswinds Cove Condominiums a recorded condominium development located in the Southwest one-quarter of Section 11, Town 7 North Range 19 East, City of Pewaukee; thence North 04°44'54" East, 175.00 feet along the east line of Certified Survey Map No. 1479 and along said west line of Phase 2 Crosswind Cove Condominiums to the northeast corner of Certified Survey Map No. 1479 and to the Southeast corner of Certified Survey Map No. 2837; thence continuing North 0°44'54" East, 245.84 feet to the south right of way line of S.T.H. 190 and the point of beginning.

Also, all existing, future, or potential common law or statutory easements or **rights of vehicular access** between the right-of-way of the highway, S.T.H. 164 (former C.T.H. "J"), and all of the abutting remaining real property of the owner, whether acquired by separate conveyance or otherwise, where the above described real estate abuts on the

said highway. Except the right of access to S.T.H. 164 (former C.T.H. "J") from said abutting real estate on the Easterly side of S.T.H. 164 (former C.T.H. "J") by means of one access point at the south 50 feet of said Certified Survey Map No. 2837.

BE IT FURTHER ORDAINED that the Public Works Department is authorized to sell such excess rights of way subject to the Public Works Committee approval of the sale price.


BE IT FURTHER ORDAINED that the County Executive and County Clerk are authorized to sign the necessary documents to effectuate the approved sale.

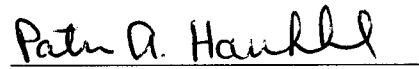
BE IT FURTHER ORDAINED that proceeds from the sale of this excess land be deposited into the general fund - nondepartmental.


SALE OF EXCESS RIGHT OF WAY  
PARCEL 55 CTH J/STH 164 PEWAUKEE ROAD


Presented by:  
Public Works Committee


Approved by:  
Finance Committee

  
Richard L. Manke, Chair

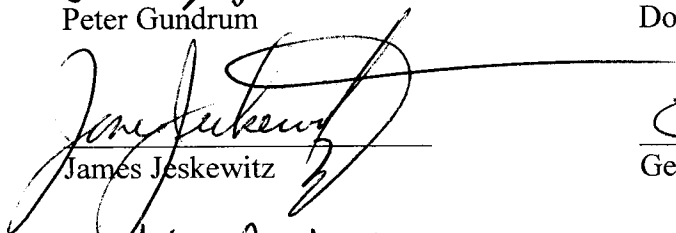
  
Patricia A. Haukohl, Chair


  
James R. Behrend

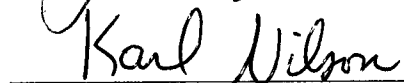
  
James R. Behrend

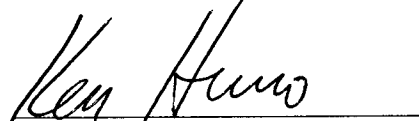
  
Peter Gundrum

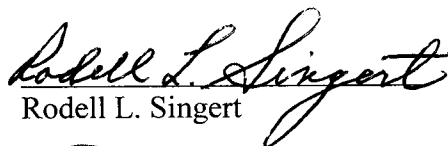
  
Donald M. Broesch

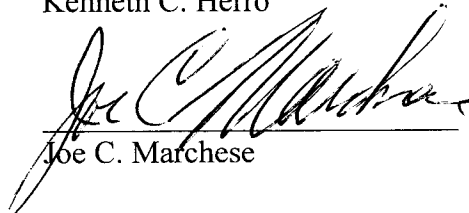
  
James Jeskewitz

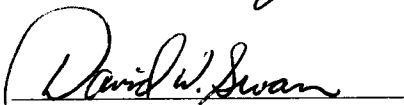
  
Genia C. Bruce

  
Karl Nilson

  
Kenneth C. Herro

  
Rodell L. Singert

  
Joe C. Marchese

  
David W. Swan

  
Bonnie J. Morris

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 8-9-05,   
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: ✓  
Vetoed: \_\_\_\_\_

Date: 8-12-05,   
Daniel M. Finley, County Executive



160-0-035

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-08/09/05

(ORD) NUMBER-1600035

1 K. HERRO.....AYE

2 R. THELEN.....AYE

3 D. STAMSTA.....AYE

4 R. HUTTON.....AYE

5 J. MARCHESE.....AYE

6 D. BROESCH.....

7 J. JESKEWITZ.....AYE

8 J. DWYER.....AYE

9 P. HAUKOHL.....AYE

10 S. WOLFF.....AYE

11 K. HARENDA.....AYE

12 B. RONCKE.....AYE

13 J. MORRIS.....

14 A. KALLIN.....AYE

15 D. SWAN.....AYE

16 R. MANKE.....AYE

17 J. BEHREND.....AYE

18 B. MORRIS.....AYE

19 W. MITCHELL.....AYE

20 M. KIPP.....AYE

21 W. KOLB.....AYE

22 G. BRUCE.....AYE

23 J. TORTOMASI.....AYE

24 B. KRAMER.....AYE

25 K. CUMMINGS.....

26 S. KLEIN.....AYE

27 D. PAULSON.....AYE

28 P. JASKE.....

29 T. BULLERMANN.....AYE

30 K. NILSON.....AYE

31 V. STROUD.....AYE

32 P. GUNDRUM.....AYE

33 D. PAVELKO.....AYE

34 R. SINGERT.....AYE

35 C. SEITZ.....AYE

TOTAL AYES-31

TOTAL NAYS-00

CARRIED\_\_\_\_\_

DEFEATED\_\_\_\_\_

UNANIMOUS X

TOTAL VOTES-31